

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

**THE ESTATE OF DENISE SHORT,
BY AND THROUGH KIERRA CALHOUN, AS
ADMINISTRATRIX, AND KIERRA CALHOUN,
ON BEHALF OF THE WRONGFUL DEATH
BENEFICIARIES OF
DENISE SHORT**

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:24-CV-293-HTW-LGI

**THE MISSISSIPPI DEPARTMENT OF
CORRECTIONS, BURL CAIN, IN HIS
INDIVIDUAL AND OFFICIAL CAPACITIES
AS THE COMMISSIONER OF THE
MISSISSIPPI DEPARTMENT OF CORRECTIONS,
JOHN HUNT, IN HIS INDIVIDUAL AND
OFFICIAL CAPACITIES AS A SUPERINTENDENT
OF THE CENTRAL MISSISSIPPI CORRECTIONAL
FACILITY, TEREDA HAIRSTON, IN HER
INDIVIDUAL AND OFFICIAL CAPACITIES AS A
SUPERINTENDENT OF THE CENTRAL
MISSISSIPPI CORRECTIONAL FACILITY,
BENJAMIN JENNINGS, IN HIS INDIVIDUAL AND
OFFICIAL CAPACITIES AS AN EMPLOYEE OF THE
MISSISSIPPI DEPARTMENT OF CORRECTIONS,
CORPORAL ANGELA SMITH, IN HER INDIVIDUAL
AND OFFICIAL CAPACITIES AS AN EMPLOYEE OF
THE MISSISSIPPI DEPARTMENT OF CORRECTIONS,
VITALCORE HEALTH STRATEGIES, LLC, JASMINE
NELSON, KALIAH ROBINSON, ROSALYNN ALLEN,
WHITNEY A. DIXON, AND JOHN/JANE DOES 1-3
and 12-30, IN THEIR INDIVIDUAL
AND OFFICIAL CAPACITIES AS EMPLOYEES
OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS** **DEFENDANTS**

**PLAINTIFFS RESPONSE IN OPPOSITION TO DEFENDANTS THE MISSISSIPPI
DEPARTMENT OF CORRECTIONS, COMMISSIONER BURL CAIN, JOHN HUNT,
TEREDA HAIRSTON, BENJAMIN JENNINGS, AND ANGELA SMITH'S MOTION
TO DISMISS**

COME NOW, Plaintiffs, The Estate of Denise Short, by and through Kierra Calhoun, as
Administratrix, and Kierra Calhoun, on behalf of the Wrongful Death Beneficiaries of Denise

Short, by and through her undersigned counsel, and file this their Memorandum in Support of their Response in Opposition to The Mississippi Department of Corrections, Commissioner Burl Cain, John Hunt, Tereda Hairston, Benjamin Jennings, And Angela Smith's, (hereinafter referred to as "the MDOC Defendants"), Motion to Dismiss. In support thereof, Plaintiffs rely upon their Memorandum in Support, filed contemporaneously herewith, and the entire record in this cause.

WHEREFORE PREMISES CONSIDERED, Plaintiffs respectfully request this Court deny the MDOC Defendants' Motion to Dismiss. In the alternative, Plaintiffs request an opportunity to amend their Complaint as to claims against these Defendants to cure any deficiencies.

Respectfully submitted, this the 4TH day of February, 2025.

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BY: /s/ E. Claire Scott

David E. Rozier, Jr. (MSB #5712)

Jenessa Carter Hicks (MSB #103287)

Victor Bishop (MSB #106099)

E. Claire Scott (MSB #106519)

Rozier Legal

1328 North Lamar Blvd., Ste. 104

PO Box 2388

Oxford, MS 38655

Telephone: 662-214-5282

Email: dave@rozierlegal.com

jenessa@rozierlegal.com

vic@rozierlegal.com

claire@rozierlegal.com

Counsel for the Plaintiffs

CERTIFICATE OF SERVICE

I, the undersigned, one of the attorneys of record for the Plaintiffs, do hereby certify that I have this day filed the foregoing pleading via ECF, which sent notice of such filing to all counsel of record.

This this the 4TH day of February, 2025.

/s/ E. Claire Scott
E. CLAIRE SCOTT